

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**JEFFREY T. ELLIS and ANGELA ELLIS,**

**Plaintiff,**

**v.**

**HANSEN & ADKINS AUTO TRANSPORT,  
NISSAN NORTH AMERICA, INC., and  
COTTRELL, INC.,**

**Defendant.**

**No. 09-677-DRH**

**ORDER**

**HERNDON, Chief Judge:**

Before the Court is Defendant Cottrell, Inc.'s motion for an extension (Doc. 25) of time in which to file its response to Plaintiffs' motion to remand. Specifically, Defendant argues that it is currently litigating several other lawsuits in this District which currently have motions to remand pending. Defendant argues that all of the cases, including the above captioned case, involve complex fraudulent joinder and other complicated issues and Defendant needs additional time to prepare the lengthy response. Further, Defendant's counsel has been out of town and will be out of town for nearly half of the days before the current deadline. Defendant requests an additional 30 days in which to respond to Plaintiffs' motion to remand. Defendant further notes that his counsel has spoken with Plaintiffs' counsel but Plaintiffs' counsel has not consented to the extension. Based on the reasons in the motion, the Court **GRANTS** Defendant's motion for extension (Doc. 25). Defendant will have up to and including **November 12, 2009** in which to file

a response to Plaintiff's motion to remand.

**IT IS SO ORDERED.**

Signed this 22nd day of September, 2009.

/s/ David R. Herndon

**Chief Judge**  
**United States District Court**